

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:08CR3142
)	
V.)	
)	MEMORANDUM
WILLIE LEE STURGIS and)	AND ORDER
MARY ELIZABETH MCDANIEL,)	
)	
Defendants.)	

This matter came on for a telephone conference with counsel. Mr. Schense orally moved for a continuance arguing that his client had recently been sentenced in state court, that his client was at the Women's Prison in York, and that he needed additional time to prepare for trial. Mr. Monzon objected saying that he was ready for trial.¹ Mr. Gillan was ready for trial but did not object to a continuance if the court could give him a date certain. The court suggested various dates such as May 4, 2009 and June 29, 2009, but Mr. Gillan was unavailable on those dates. I am told that the case ahead of this one will go to trial as scheduled on April 27, 2009. Given that fact and the fact that Mr. Schense genuinely needs additional time,

IT IS ORDERED that:

(1) This case is taken off the trial calendar and referred to Magistrate Judge Piester for rescheduling. I request that Judge Piester pick a date where this case can be set as the number one case above all others.

(2) In the interests of justice, the time between today's date and the date of trial set by Judge Piester is excluded for computation purposes under the Speedy Trial Act. 18 U.S.C. § 3161.

¹Without intending any criticism of Mr. Monzon, I note that earlier this year the court accommodated Mr. Monzon on the scheduling of a number of cases so that he could travel to see his family in the Carribean.

DATED this 23rd day of April, 2009.

BY THE COURT:

S/Richard G. Kopf
United States District Judge